

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
AUG 24 2010
[Signature]
CLERK

ENERGY MAINTENANCE SERVICE,
LLC, a Delaware Limited Liability
Company,

Plaintiff,

vs.

ReNEW ENERGY MAINTENANCE
HOLDINGS, LLC, a South Dakota
Limited Liability Company;
ReNEW ENERGY MAINTENANCE,
LLC, a South Dakota Limited Liability
Company; JAMES P. MIKEL;
GARY R. FISH; NICHOLAS D.
SIDDENS; and MICHAEL A. SHERMAN,

Defendants.

CIV 09-4155

JUDGMENT

Based upon the Joint Motion for Dismissal, Doc. 58, it is hereby,

ORDERED, ADJUDGED AND DECREED that the Complaint and causes of action of the Plaintiff against the Defendant are hereby dismissed upon the merits, with prejudice, and with each party to pay their own costs and attorney's fees. The Court will retain jurisdiction of this matter to enforce the terms of the Settlement Agreement entered into between the parties.

Dated this 23rd day of August, 2010.

BY THE COURT:

[Signature]

Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY:

[Signature]

DEPUTY